



JCO9 Rec'd PCT/PTO 14 MAR 2001  
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09/700813

PATENT  
ATTORNEY DOCKET NO.: 044574-5029

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

|   |   |                      |
|---|---|----------------------|
| In re Application of:                           | ) |                      |
|   | ) |                      |
| Rocio M. SIERRA-HONIGMANN                       | ) |                      |
|   | ) |                      |
| U.S. Application No.: 09/700,813                | ) | Group: Unassigned    |
|   | ) |                      |
| International Appl. Filing Date: May 20, 1999   | ) |                      |
|   | ) |                      |
| Date of National Stage Entry: November 20, 2000 | ) | Examiner: Unassigned |
|   | ) |                      |
| For: MODULATION OF ANGIOGENESIS AND             | ) |                      |
| WOUND HEALING                                   | ) |                      |

**BOX PCT**  
Commissioner for Patents  
Washington, D.C. 20231

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS**  
**UNDER 35 USC 371 IN THE U.S. DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. This replies to the Notification of Missing Requirements (Form PCT/DO/EO/905) mailed December 14, 2000.

A copy of the Notification of Missing Requirements (Form PTC/DO/EO/905) is enclosed.

2. Declaration Or Oath

☒ [X] No declaration or oath was filed. Enclosed is the original Combined Declaration and Power of Attorney.

☐ [ ] The specification attached to the declaration is a copy of the specification and any amendments thereto which were filed in the PTO to obtain the filing date.

☐ [ ] The declaration or oath which was filed was determined to be defective. A new original Combined Declaration and Power of Attorney is attached.

## 3. English Translation of Non-English Language Papers

☐ Submitted herewith is a verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the PTO.

☐ Also enclosed is the Verification of Translation Document

## 4. Fee Calculation

|   |              |              |               |                |
|---|--------------|--------------|---------------|----------------|
| Basic Fee:<br>PCT Application-\$840.00  |              |              |               | \$840.00       |
|   | Number Filed | Number Extra | at a Rate of  |                |
| Total Claims  | -20 =        | 0            | \$18.00 each= | +\$0.00        |
| Independent Claims  | - 3 =        | 0            | \$78.00 each= | +\$0.00        |
| Multiple dependent claim(s), if any   |              |              | \$260.00      | +\$0.00        |
| Missing Requirements Surcharge Fee  |              |              | \$130.00      | \$130.00       |
| <b>SUB-TOTAL =</b>  |              |              |               | \$130.00       |
| Reduction by ½ for filing by small entity. All entities associated with this application presently fully meet the requirements of 36 CFR §1.9(d). |              |              |               | \$ 65.00       |
| Fee For Application Filed With A Non-English Specification<br>(37 CFR 1.17(k) and 1.52(d))  |              |              | \$130.00      | +\$            |
| Fee For Processing and retention of application (37 CFR 1.21(l) and 1.53(d))  |              |              | \$130.00      | +              |
| <b>TOTAL FILING FEE =</b>   |              |              |               | <b>\$65.00</b> |

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5. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

[X] Applicant petitions for an extension of time, the fees for which are set out in 37 CFR 1.17(a)-(d), for the total number of months checked below:

| <u>Total months requested</u> | <u>Fee for extension</u> | <u>[fee for Small Entity]</u> |
|-------------------------------|--------------------------|-------------------------------|
| [ ] one month                 | \$ 110.00                | \$ 55.00                      |
| [X] two months                | \$ 390.00                | \$195.00                      |
| [ ] three months              | \$ 890.00                | \$445.00                      |
| [ ] four months               | \$1,390.00               | \$695.00                      |
| [ ] five months               | \$1,890.00               | \$945.00                      |

Extension of time fee due with this request: \$195.00

If an additional extension of time is required, please consider this a Petition therefor.

[ ] Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

6. Fee Payment

The total fee due is:

|                 |                  |
|-----------------|------------------|
| Completion Fees | <u>\$ 65.00</u>  |
| Extension Fees  | <u>\$ 195.00</u> |
| Total Fee Due   | <u>\$ 260.00</u> |

[X] Please charge Deposit Account No. 50-0310 in the amounts of \$260.00 and \$40.00 representing the Missing Requirements Surcharge, 2 months extension of time fee and an assignment recordation fee, respectively.

03/16/2001 MNGUYEN 00000120 500310 09700813

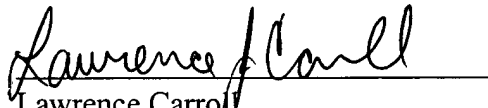
01 FC:254 65.00 CH  
02 FC:216 195.00 CH

[X] **Except** for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R §1.16 and §1.17 which may be required, or credit any overpayment to Deposit Account No. 50-0310.

7. Additional papers enclosed.
- ☐ Preliminary Amendment
  - ☐ PCT/IB/338 English translation of the International preliminary Examination Report
  - ☐ Information Disclosure Statement
  - ☐ Form PTO-1449, \_\_\_ documents as listed
  - ☐ Declaration of Biological Deposit
  - ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

  
Lawrence Carroll  
Reg. No. 40,940

Date: March 14, 2001

Customer No. 009629  
**MORGAN, LEWIS & BOCKIUS LLP**  
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09/700813



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U.S. APPLICATION NO. 09/700,813 FIRST NAMED APPLICANT SIERRA HUNIGMANN ATTY. DOCKET NO. 044671-5029

009629  
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800 M STREET NW  
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INTERNATIONAL APPLICATION NO.  
PCT/US99/11209  
I.A. FILING DATE 05/20/99 PRIORITY DATE 05/20/98  
DATE MAILED: 12/14/00

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as ☐ a Designated Office (37 CFR 1.494), ☒ an Elected Office (37 CFR 1.495):

- ☒ U.S. Basic National Fee.  
☒ Copy of the international application in:  
☐ a non-English language.  
☒ English.

- ☐ Translation of the international application into English.  
☐ Oath or Declaration of inventors(s) for DO/EO/US.  
☐ Copy of Article 19 amendments.  
☐ Translation of Article 19 amendments into English.  
☒ The International Preliminary Examination Report in English and its Annexes, if any.  
☐ Translation of Annexes to the International Preliminary Examination Report into English.  
☐ Preliminary amendment(s) filed \_\_\_\_\_ and \_\_\_\_\_.  
☐ Information Disclosure Statement(s) filed \_\_\_\_\_ and \_\_\_\_\_.  
☐ Assignment document.  
☐ Power of Attorney and/or Change of Address.  
☐ Substitute specification filed \_\_\_\_\_.  
☐ Statement Claiming Small Entity Status.  
☐ Priority Document.  
☒ Copy of the International Search Report ☐ and copies of the references cited therein.  
☒ Other: 308

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DEC 14 2000

MORGAN, LEWIS &amp; BOCKIUS LLP

Docketed 12-20-00 Attorney EEV/ECW/KJ  
Case 44574-5029  
Due Date 1-14-01  
Action Missing Requirements  
By SOW Chk ybm

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.  
☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.  
☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).  
☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.  
☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.  
☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ \_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

**ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.  
5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

**A copy of this notice MUST be returned with this response.**

Enclosed: ☐ PCT/DO/EO/917 ☐ Notice of Defective Translation  
☐ PTO-875

FORM PCT/DO/EO/905 (December 1997)

Telephone: (703) 789-3025

Kaya Baltimore  
National Stage Process